

Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee on Appropriations, the House of Representatives Committee on Homeland Security, and the House of Representatives Committee on Appropriations that—

(1) details the health and safety impacts of nonintrusive inspection technology; and

(2) describes the policy of the Bureau of Customs and Border Protection for using nonintrusive inspection equipment.

(d) **FINAL RULE DEADLINE.**—The Domestic Nuclear Detection Office shall issue a final rule under subsection (a) within 1 year after the rulemaking proceeding is initiated.

SEC. —307. RANDOM INSPECTION OF CONTAINERS.

Within 1 year after the date of enactment of this Act, the Commissioner of Customs and Border Protection shall develop and implement a plan, utilizing best practices for empirical scientific research design and random sampling standards for random physical inspection of shipping containers in addition to any targeted or pre-shipment inspection of such containers required by law or regulation or conducted under any other program conducted by the Commissioner. Nothing in this section shall be construed to mean that implementation of the random sampling plan would preclude the additional physical inspection of shipping containers not inspected pursuant to the plan.

SEC. —308. PORT SECURITY USER FEE STUDY.

The Secretary of Homeland Security shall conduct a study of the need for, and feasibility of, establishing a system of oceanborne and port-related intermodal transportation user fees that could be imposed and collected as a dedicated revenue source, on a temporary or continuing basis, to provide necessary funding for the improvement and maintenance of enhanced port security. Within 1 year after date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and the House of Representatives Committee on Homeland Security that—

(1) contains the Secretary's findings, conclusions, and recommendations (including legislative recommendations if appropriate); and

(2) includes an assessment of the annual amount of customs fees and duties collected through oceanborne and port-related transportation and the amount and percentage of such fees and duties that are dedicated to improve and maintain security.

SEC. —309. PORT SECURITY GRANTS.

(a) **BASIS FOR GRANTS.**—Section 70107(a) of title 46, United States Code, is amended by striking “for making a fair and equitable allocation of funds” and inserting “based on risk and vulnerability”.

(b) **ELIGIBLE COSTS.**—Section 70107(b) of title 46, United States Code, is amended by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(c) **LETTERS OF INTENT.**—Section 70107(e) of title 46, United States Code, is amended by adding at the end the following:

“(5) **LETTERS OF INTENT.**—The Secretary may execute letters of intent to commit funding to port sponsors from the Fund.”.

(d) **OPERATION SAFE COMMERCE.**—Section 70107(i) of title 46, United States Code, is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6); and

(2) by inserting after paragraph (3) the following:

“(4) **OPERATION SAFE COMMERCE.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of the [To be

supplied] Act, the Secretary shall initiate grant projects that—

“(i) integrate nonintrusive inspection and radiation detection equipment with automatic identification methods for containers, vessels, and vehicles;

“(ii) test physical access control protocols and technologies;

“(iii) create a data sharing network capable of transmitting data required by entities participating in the international supply chain from every intermodal transfer point to the National Targeting Center of the Department; and

“(iv) otherwise further maritime and cargo security, as determined by the Secretary.

“(B) **SUPPLY CHAIN SECURITY FOR SPECIAL CONTAINER AND NONCONTAINERIZED CARGO.**—The Secretary shall consider demonstration projects that further the security of the international supply chain for special container cargo, including refrigerated containers, and noncontainerized cargo, including roll-on/roll-off, break-bulk, liquid, and dry bulk cargo.

“(C) **ANNUAL REPORT.**—Not later than March 1 of each year, the Secretary shall submit a report detailing the results of Operation Safe Commerce to—

“(i) the Senate Committee on Commerce, Science, and Transportation;

“(ii) the Senate Committee on Homeland Security and Governmental Affairs;

“(iii) the House of Representatives Committee on Homeland Security;

“(iv) the Senate Committee on Appropriations; and

“(v) the House of Representatives Committee on Appropriations.”.

(e) **RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**—The Secretary of Homeland Security shall—

(1) direct research, development, test, and evaluation efforts in furtherance of maritime and cargo security;

(2) encourage the ingenuity of the private sector in developing and testing technologies and process innovations in furtherance of these objectives; and

(3) evaluate such technologies.

(f) **COORDINATION.**—The Secretary of Homeland Security, acting through the Undersecretary for Science and Technology, in consultation with the Assistant Secretary for Policy, the Director of Cargo Security Policy, and the Chief Financial Officer, shall ensure that—

(1) research, development, test, and evaluation efforts funded by the Department in furtherance of maritime and cargo security are coordinated to avoid duplication of efforts; and

(2) the results of such efforts are shared throughout the Department, as appropriate.

SEC. —310. WORK STOPPAGES AND EMPLOYEE-EMPLOYER DISPUTES.

Section 70101(6) is amended by inserting after “area.” the following: “In this paragraph, the term ‘economic disruption’ does not include a work stoppage or other non-violent employee-related action resulting from an employee-employer dispute.”.

SEC. —311. INSPECTION OF CAR FERRIES ENTERING FROM CANADA.

Within 120 days after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Commissioner of Customs and Border Protection, in coordination with the Secretary of State, and their Canadian counterparts, shall develop a plan for the inspection of passengers and vehicles before such passengers board, or such vehicles are loaded onto, a ferry bound for a United States port.

SA 3800. Mr. INOUE (for himself, Mr. STEVENS, Mrs. HUTCHISON, Mr.

ROCKEFELLER, Mrs. BOXER, Mr. LAUTENBERG, Ms. SNOWE, Ms. CANTWELL, Mr. KERRY, Mr. DORGAN, Mr. NELSON of Florida, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

TITLE —IMPROVED MARITIME SECURITY

SEC. —00. SHORT TITLE; TABLE OF CONTENTS..

(a) **SHORT TITLE.**—This title may be cited as the “Maritime Security Improvement Act of 2006”.

(b) **TABLE OF CONTENTS.**—The table of contents for this title is as follows:

TITLE	—IMPROVED MARITIME SECURITY
Sec. —00.	Short title; table of contents..
Sec. —01.	Establishment of additional inter-agency operational centers for port security.
Sec. —02.	Area maritime transportation security plan to include salvage response plan.
Sec. —03.	Post-incident resumption of trade.
Sec. —04.	Assistance for foreign ports.
Sec. —05.	Improved data for targeted cargo searches.
Sec. —06.	Technical requirements for non-intrusive inspection equipment.
Sec. —07.	Random inspection of containers.
Sec. —08.	Cargo security.
Sec. —09.	Secure systems of international intermodal transportation.
Sec. —10.	Port security user fee study.
Sec. —11.	Deadline for transportation security cards.
Sec. —12.	Port security grants.
Sec. —13.	Customs-Trade Partnership Against Terrorism security validation program.
Sec. —14.	Work stoppages and employee-employer disputes.
Sec. —15.	Appeal of denial of waiver for transportation security card.
Sec. —16.	Inspection of car ferries entering from Canada.

SEC. —01. ESTABLISHMENT OF ADDITIONAL INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY.

(a) **IN GENERAL.**—In order to improve inter-agency cooperation, unity of command, and the sharing of intelligence information in a common mission to provide greater protection for port and intermodal transportation systems against acts of terrorism, the Secretary of Homeland Security, acting through the Commandant of the Coast Guard, shall establish interagency operational centers for port security at all high priority ports.

(b) **CHARACTERISTICS.**—The interagency operational centers shall—

(1) be based on the most appropriate compositional and operational characteristics of the pilot project interagency operational centers for port security in Miami, Florida, Norfolk/Hampton Roads, Virginia, Charleston, South Carolina, and San Diego, California;

(2) be adapted to meet the security needs, requirements, and resources of the individual port area at which each is operating;

(3) provide for participation by representatives of the United States Customs and Border Protection, the Transportation Security Administration, the Department of Defense, and other Federal agencies, as determined to be appropriate by the Secretary of Homeland Security, and State and local law enforcement or port security agencies and personnel; and

(4) be incorporated in the implementation of—